

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

U.S.A. vs. Rodney Allan Henry

Docket No. 0650 3:12CR00217 - 1

Petition for Action on Conditions of Pretrial Release

COMES NOW Dariel S Blackledge-White, PRETRIAL SERVICES OFFICER
presenting an official report upon the conduct of defendant Rodney Allan Henry
who was placed under pretrial release supervision by the Honorable Juliet E. Griffin
sitting in the Court at Nashville, Tennessee, on December 05, 2012, under the following
conditions: Please reference the attached Order Setting Conditions of Release.

Respectfully presenting petition for action of Court and for cause as follows:
Please reference page two of this document.

I declare under penalty of perjury that the foregoing is true and correct.

<u>Dariel S Blackledge-White</u> U.S. Pretrial Services Officer	<u>Nashville, TN</u> Place:	<u>December 21, 2012</u> Date:
Next Scheduled Court Event	<u>February 12, 2013</u> Date	

PETITIONING THE COURT

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Action | <input type="checkbox"/> To issue an order setting a hearing on the petition |
| <input type="checkbox"/> To Issue a Warrant | <input type="checkbox"/> Other |

THE COURT ORDERS:

- ☒ No Action
☐ The Issuance of a Warrant.
 ☐ Sealed Pending Warrant Execution
 (cc: U.S. Probation and U.S. Marshals only)
☐ Other

- ☐ A Hearing on the Petition is set for

Date

Time

Considered and ordered this 21st day
of December, 2012, and ordered filed
and made a part of the records in the above
case.

Honorable Juliet E. Griffin
U. S. Magistrate Judge

Honorable Juliet E. Giffin
Petition for Action on
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December 21, 2012

On December 5, 2012, the above referenced defendant was arrested in the Middle District of Tennessee, on a two-count Indictment which charged him with the following counts, to wit: Count One, Sale of a Firearm to a Convicted Felon, in violation of 18 U.S.C. 922(d)(1) and 924(a)(2); and Count Two, Possession With Intent to Distribute and Distribution of a Detectable Amount of Morphine, in violation of 21 U.S.C. § 841(a)(1).

On December 5, 2012, the defendant appeared before Your Honor for an Initial Appearance. The Government did not seek detention, and Mr. Henry was ordered released on a personal recognizance bond with pretrial supervision.

Special Conditions of Release:

Please reference the attached Order Setting Conditions of Release.

VIOLATION(S):

Violation No. 1: Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

On December 5, 2012, the defendant reported to the U.S. Probation and Pretrial Services Office and submitted a urine screen that was positive for opiates, hydromorphone, and morphine. The specimen was sent to Alere Laboratory (Alere), located in Gretna, Louisiana, for confirmation. Mr. Henry advised he has a prescription for Morphine. However, he did not have a copy of the prescription on his person.

On December 8, 2012, Alere confirmed the defendant's urine screen was positive for hydromorphone and morphine.

As of this writing, the defendant has failed to provide his pretrial services officer with proof of a prescription for morphine.

Current Status of Case:

A trial date is scheduled for February 12, 2013.

Probation Officer Action:

On December 6, 2012, the defendant was placed in Phase I of the U.S. Probation Office's Code-a-Phone program, a program whereby defendants call daily to ascertain whether they need to report to the U.S. Probation and Pretrial Services Office to submit a urine screen. Additionally, Mr. Henry was referred to Plateau Mental Health Center, located in Cookeville, Tennessee, for a substance

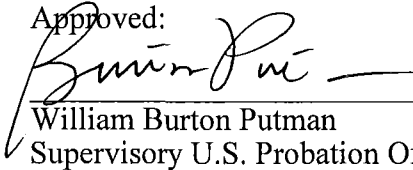
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abuse evaluation. He was informed he is required to follow any recommendations deemed appropriate by the case manager. The defendant was cautioned against using illegal substances and advised the Court would be notified of any positive urine screens.

Respectfully Petitioning the Court as Follows:

Pretrial Services respectfully recommends that the Court take no official action at this time. This will allow the defendant to complete a substance abuse assessment and follow any treatment recommendations. Assistant United States Attorney William Abley has been advised of the violation.

Approved:



William Burton Putman
Supervisory U.S. Probation Officer

xc: William Abley, Assistant U.S. Attorney
Isaiah Gant, Defense Counsel

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RELEASE ORDER AND CONDITIONS OF RELEASE

- ☒ Defendant is released on his/~~her~~ own recognizance, no appearance bond shall be posted, and the following ~~statutorily required standard~~ conditions of release are hereby imposed:
- ☐ Defendant shall be released on a non-surety bond in the amount of _____, no security or monies shall be required for defendant to be released, and the following conditions of release are hereby imposed:
- ☐ Defendant shall be released on a non-surety bond in the amount of _____, cash in the amount of _____ shall be posted to the Clerk of Court, or such other security as listed below, and the following conditions of released are hereby imposed:
- ☐ Defendant shall be released on a surety bond as described below:
- ☐ Defendant shall remain on the conditions of supervised release that have been previously imposed by the District Judge. In addition, defendant shall abide by the following conditions:

WHILE ON RELEASE, I FULLY UNDERSTAND:

- 1) I may not change my address or move without permission of the Court. My correct address has been provided to Pretrial Services.
- 2) I must be in Court each and every time I am instructed to be there, and surrender to serve any sentence imposed.
- 3) I cannot intimidate or harass any witness, victim, informant, juror or officer of the Court; I cannot obstruct any criminal investigation.
- 4) I must not violate any local, state or federal law. If I do, I could be punished by as much as from 90 days to 10 years imprisonment in addition to the penalty provided for the offense committed.

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- 5) If I violate any condition of release, a warrant for my arrest could be issued, ~~any bond I signed may be forfeited~~, and new bonds with additional conditions, or my detention until trial, could be ordered by the Court, and I could be held in contempt of Court.
- 6) If I fail to appear at any proceeding in this case or I fail to surrender to serve any sentence imposed, I could be charged and convicted of bail jumping which is punishable by, in some cases, as much as 10 years imprisonment and/or a fine, in addition to any other punishments imposed in the original case.
- 7) This special condition or conditions:

A. Defendant shall report to Pretrial Services as directed

B. Defendant shall maintain or seek verifiable employment

~~C. Defendant shall surrender any passport to Pretrial Services~~

C. ~~X~~ Defendant shall not obtain a passport during the pendency of this case

D. ~~X~~ Defendant's travel is restricted to the Middle District of Tennessee and Eastern Tennessee unless approved in advance by Pretrial Services d1

E. ~~X~~ Defendant shall avoid all contact, directly or indirectly, with any persons who are or who may become a witness in the subject investigation or prosecution with whom he had contact on June 30, 2014, and July 13, 2014, who might be witnesses in this case whom he knows to be convicted felons, other than family members jg

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F. Defendant shall not have in his possession any firearm, ammunition, or other destructive device

G. Defendant shall refrain from the excessive use of alcohol

H. Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner

I. Defendant shall submit to any method of testing required by the Pretrial Services Office for determining whether the defendant is using a prohibited substance, such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing

J. Defendant shall participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed appropriate by the Pretrial Services Officer, any inpatient treatment may be followed by up to 90 days in a halfway house

K. Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release

L. Defendant shall report as soon as possible, within 48 hours, to the supervising officer, any contact with any law enforcement personnel, including, but not limited

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to any arrest, questioning, or traffic stop

M. M.

Defendant shall allow a Probation/Pretrial Services Officer to visit at any time at home or elsewhere and confiscate any contraband observed in plain view

P.

I acknowledge I have read this Order. I understand that I will receive a copy of it and any Appearance Bond that the Court has ordered at the conclusion of this hearing.

Date: December 5, 2012

X Rodney Henry
Defendant

It is ORDERED that the conditions listed above are imposed. 18 U.S.C. § 3142.

Debra M. Hoff
UNITED STATES MAGISTRATE JUDGE

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The **Middle District of Tennessee** consists of the following counties: Cannon, Cheatham, Clay, Cumberland, Davidson, DeKalb, Dickson, Fentress, Giles, Hickman, Houston, Humphreys, Jackson, Lawrence, Lewis, Macon, Marshall, Maury, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Stewart, Sumner, Trousdale, Wayne, White, Williamson and Wilson.

The following are pertinent Middle District of Tennessee numbers (Area Code 615):

U.S. Magistrate Judge Juliet Griffin	- 736-5164
U.S. Magistrate Judge Joe B. Brown	- 736-7052
U.S. Magistrate Judge E. Clifton Knowles	- 736-7347
U.S. Magistrate Judge John S. Bryant	- 736-5878
Clerk of Court	- 736-5498
U.S. Marshal	- 736-5417
U.S. Attorney	- 736-5151
U.S. Probation	- 736-5771
Federal Public Defender	- 736-5047

The United States District Court in **Nashville** is located in the United States Courthouse, 801 Broadway, at the corner of Eighth and Broad. The Court in **Cookeville** is located at 9 East Broad Street. The Court in **Columbia** is located at 816 South Garden Street.